

KENTUCKY REAL ESTATE COMMISSION

10200 Linn Station Road, Suite 201 Louisville, Kentucky 40223

Telephone (502) 429-7250, Toll Free: 1-888-373-3300, Fax: (502) 429-7246 Website: www.krec.ky.gov

Reciprocal Licensing Information

Please read information carefully before completing the application

Under **KRS 324.141**, the Kentucky Real Estate Commission (KREC) may enter into reciprocal licensing agreements with other states, **whereby resident real estate licensees in those states may qualify for non-resident licensing** waiving the real estate examination. Listed below are those states with which Kentucky presently has reciprocal agreements: Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Mississippi, Nebraska, North Carolina, Ohio, South Carolina, South Dakota, Tennessee, West Virginia.

Reciprocity is based on **ACTIVE** licensure at the time of application. Escrowed, expired or cancelled licensees are not eligible.

- **IMPORTANT NOTE:** *A Sales Associate or Broker Associate **IS NOT ELIGIBLE** to obtain a license under the reciprocal agreement unless his/her Principal Broker (in the resident state) has already obtained a Kentucky Principal Broker's license.*

The following steps are necessary for all applicants. Please review the state specific requirements as well.

1. Reciprocal Application

Must be completed by all applicants for licensure. Make sure the appropriate sections are completed. ***(The application is only valid for six months.)***

2. Criminal Background Check

All applicants for a Kentucky license must submit to a criminal background check. See the attached information sheet for more details on this process. ***(Criminal Background Checks are only valid for 6 months after they are issued.)***

3. Certification of License History

All applicants must obtain a Certification of License History from all states where they have held or currently hold a real estate license. A copy of the license is **not** acceptable. ***(Certifications of License History are only valid for 90 days after they are issued.)***

4. Consent to Service of Jurisdiction

Must be completed by all non-resident applicants.

5. Reciprocal Licensing Fee(s)

The fee is \$55, plus applicable Errors & Omissions Insurance, or proof that the applicant is covered by a Private Carrier (Certification of Coverage form should be completed by Insurance Carrier). Checks should be made payable to KREC.

6. Pre-license Education Requirements for Ohio: All applicants from Ohio will be required to complete a 48 hour Kentucky real estate law class prior to applying for a license. See explanation on page 3.

7. State Law Testing Requirements for Florida, Indiana, Illinois & Ohio licensees:

The examinations are conducted at Kentucky designated test centers. The reciprocal application and the attachments as outlined on the checklist must be submitted to and approved by the Kentucky Real Estate Commission. **Do not register for the exam until you receive the WRITTEN AUTHORIZATION LETTER (cannot be a faxed copy) from the Kentucky Real Estate Commission.** This letter confirms your eligibility to sit for the state law portion of the test as required under the reciprocal agreements with the states listed above. This authorization must be taken to the test center. ****Once approval is given to take the state law exam, an applicant must pass the exam within 6 months. Once the exam is successfully completed, the applicant has 60 days to apply.***

8. Licensing

Properly completed applications for licensure will normally be processed within 5 working days of receipt by the Commission.

▪ **Principal Broker**

A Principal Broker may hold his/her license and have other individual licensees affiliated with him/her. In addition to the application, **the Principal Broker must open an escrow account in a Kentucky bank.** There are no exceptions to this law. {There is a section on the application to be completed by bank official}.

▪ **Broker**

A Broker Associate must have the Principal Broker with whom they are affiliated in their resident state hold the Kentucky license upon issuance. The Principal Broker must complete the appropriate section on the application. The fee for a presently licensed Sales Associate (in Kentucky) to upgrade to Broker status is \$25.

▪ **Sales Associate**

A Sales Associate must have the Principal Broker with whom they are affiliated in their resident state hold the Kentucky license upon issuance. The Principal Broker must complete the appropriate section on the application.

STATE SPECIFIC REQUIREMENTS

Following is a list of the states with which the Kentucky Real Estate Commission has made an agreement for reciprocal licensing. In addition to the general requirements that an applicant must hold an active license in good standing, and must either be a Principal Broker or be licensed with a Principal Broker who is already licensed in both the resident state and Kentucky, the applicant must meet the applicable state specific requirements listed below.

▪ **FLORIDA**

Applicants must be legal residents of Florida.

Florida Sales or Broker Associates must apply through the Principal Broker who holds their license in Florida. This principal broker must therefore be licensed to practice in both states.

Applicant must have met Florida's requirements and obtained the license by examination. They must take and pass the law portion of the Kentucky examination. **PRIOR WRITTEN APPROVAL** must be obtained from the Kentucky Commission before scheduling an examination date with the testing service. Please do not send fees with your application. Fees will be collected after the examination.

▪ **OHIO**

Individuals must be a legal resident of Ohio at the time of application.

Ohio Sales or Broker Associates must apply through the Principal Broker who holds their license in Ohio. This principal broker must therefore be licensed to practice in both states.

Brokers must have been actively licensed as a Broker for two years immediately preceding application in Kentucky. Sales Associates must have been actively licensed for one year immediately preceding application in Kentucky.

Principal Brokers must maintain a definite place of business in the state of Kentucky. A physical address is required.

All Ohio licensees must complete a 3 semester credit hour or 48 classroom hours in Real Estate Law from a Kentucky college, university, or approved proprietary school prior to filing an application for licensure. Proof of completion of the course must be submitted with the application. A list of approved and accredited schools is available on the website at www.krec.ky.gov and through fax on demand (1-888-KREC-FAX) Document # 601.

Candidates must take and pass the license law portion of the Kentucky exam. **PRIOR WRITTEN APPROVAL** must be obtained from the Kentucky Commission before scheduling an examination date with the testing service. Please do not send fees with your application. Fees will be collected after the examination.

▪ **ILLINOIS**

Individuals must be a legal resident of Illinois at the time of application.

Illinois Sales or Broker Associates must apply through the Principal Broker who holds their license in Illinois. This principal broker must therefore be licensed to practice in both states.

Brokers must have been actively licensed for two years immediately preceding application in Kentucky.

Candidates must take and pass the law portion of the Kentucky exam. **PRIOR WRITTEN APPROVAL** must be obtained from the Kentucky Real Estate Commission before scheduling an examination date. Please do not send fees with your application. Fees will be collected after the exam.

▪ **INDIANA**

Individuals must be a legal resident of Indiana at the time of application.

Indiana sales or Broker Associates must apply through the Principal Broker who holds their license in Indiana. This principal broker must therefore be licensed to practice in both states.

Candidates must take and pass the license law portion of the Kentucky exam. **PRIOR WRITTEN APPROVAL** must be obtained from the Kentucky Commission before scheduling an examination date with the testing service. Please do not send fees with your application. Fees will be collected after the examination.

Important Note: Kentucky principal brokers who wish to license their firms in Indiana will be required to have a resident Indiana Principal Broker to be responsible for the firm, in accordance with the Indiana law provisions.

- **ALABAMA, ARKANSAS, GEORGIA, IOWA, NORTH CAROLINA, SOUTH CAROLINA OR MISSISSIPPI**

Applicant must be a legal resident of the state from which they are applying and hold an active license.

A Broker Associate or Sales Associate must be affiliated with a Principal Broker who is licensed to practice in their resident state. This principal broker must therefore be licensed to practice in both states.

Applicants must have obtained their license by virtue of passing the examination in that state.

- **TENNESSEE**

Applicant must be a legal resident of Tennessee.

A Broker Associate or Sales Associate must be affiliated with a Principal Broker who holds their license in Tennessee. This principal broker must therefore be licensed to practice in both states.

- **NEBRASKA**

Applicants must complete the Kentucky Core Course prior to applying for a reciprocal license. (The Kentucky Core course is a specific course and no other course will be accepted.) The Kentucky Core Course schedule and approved provider list is available on our website at www.krec.ky.gov.

Sales or Broker Associates must apply through the Principal Broker who holds their license in the resident state. This principal broker must therefore be licensed to practice in both states.

Applicant must have obtained the license by virtue of passing the real estate examination.

- **WEST VIRGINIA**

Sales or Broker Associates must apply through the Principal Broker who holds their license in the resident state. This principal broker must therefore be licensed to practice in both states.

Applicant must have obtained the license by virtue of passing the real estate examination.

- **SOUTH DAKOTA**

Sales or Broker Associates must apply through the Principal Broker who holds their license in South Dakota. This principal broker must therefore be licensed to practice in both states.

All applicants must have obtained the license by virtue of passing the real estate examination. Brokers must have been consecutively licensed for a period of three years prior to application.

MANDATORY ERRORS & OMISSIONS INSURANCE

All active licensees must obtain Errors and Omissions Insurance coverage. Select one of the following options:

- Select the group policy through the KREC. Include the prorated premium for the month (See Proration Chart) in which the license will be issued, along with the proper license fee. All checks must be made payable to KREC. If you choose the group policy, you need to be aware of the following information: “If the insured licensee is not a resident of Kentucky, then this policy only applies to negligent acts, errors or omissions arising out of services committed in Kentucky or related to real estate located in Kentucky.”
- Offices/firms located in Kentucky, are also assessed a municipal tax by the city or county where the office is located. Contact the Commission for the amount of tax due before submitting your application or check the web site at www.krec.ky.gov or the fax-on-demand service (1-888-KREC-FAX) documents #501 and #502 for the proration chart.
- Submit proof of coverage through your own private insurer. Make sure that your carrier reviews **201 KAR 11:220**, before completing the “***Certification of Coverage by Private Carrier***” form. This form is the **ONLY** acceptable form of proof of private insurance. A separate form must be submitted for each individual applicant. All private carriers must have at least a B+ rating.

MANDATORY CONTINUING EDUCATION

All actively licensed agents shall be required to attend six hours of continuing education courses sponsored or approved by the Commission. Of the six hours, three hours shall be in courses on real estate law. The course must be at least three hours in length to be acceptable. A licensee shall complete the mandatory continuing education requirement by December 31 of each calendar year. Licensees are not required to attend the continuing education courses during the calendar year of initial license issuance in Kentucky. Please refer to **201 KAR 11:230** in the enclosed License Law Manual for more information.

Important Note: Kentucky does require a state specific continuing education course (the Kentucky Core Course) to be completed by **all active licensees** subject to continuing education once every four years based on the following schedule of birth dates. No other continuing education course will substitute for the Kentucky Core Course.

April, May, June	2008	2012	2016
July, August, September	2009	2013	2017
October, November, December	2010	2014	2018
January, February, March	2011	2015	2019

Continuing education courses taken in other states may be applicable. They must have been taken within the calendar year. A state specific license law class and general skills computer courses are not acceptable. The Commission may also request an outline of the course to determine whether the content is applicable. These classes are reviewed and evaluated on a case by case basis. Please fax in a completion certificate and an out of state continuing education compliance form (available at www.krec.ky.gov, under the general information section) to 502-429-7246. You will be notified if any course is not acceptable.

Special Notice: All licensees who are issued a Kentucky license must operate in accordance with all Kentucky real estate laws and regulations. It is the licensee's responsibility to read the laws and regulations and comply with them. **This material is informational only. Any omission in these documents or verbal representation regarding licensure is not a reason for waiver of a licensing requirement.**

The Commission will review and assess each license application upon its submission in accordance with the statutes, regulations, existing reciprocal agreements, and Commission procedures at that time. Laws, regulations and licensing procedures do change periodically.

If you have any questions, please contact the Licensing Department Staff at (502) 429-7250 or 888-373-3300.

Reciprocal License Application Check List

- ☐ Completed and Notarized 2 page Reciprocal Application
- ☐ Completed and Notarized Consent to Service of Jurisdiction form
- ☐ Criminal Background Check Completed and Processed with the FBI in the last 6 months
- ☐ A Certification of License History from every state in which the applicant is licensed. (Must not be more than 90 days old)
- ☐ Broker Associates/Sales Associates only – Principal Broker is licensed in resident state and in Kentucky.
- ☐ Principal Broker Applications only – Escrow Account Verification Completed and Attached
- ☐ Those applying from Nebraska only – Completed and attached certificate from the Kentucky Core Course.
- ☐ Those applying from Ohio only – Completed and attached Certificate from Kentucky Real Estate Law Course
- ☐ A check or money order made payable to KREC for \$55 for license fee and either a Certificate of Coverage for private E & O insurance or a check or money order made payable to KREC for the correct E & O pro-ratio. (see attached chart) **Applicants from Illinois, Indiana, Ohio and Florida should not send any fees with this application. Fees for those applicants will be collected when you send in the application/score report received at the testing center.**

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RECIPROCAL LICENSE APPLICATION

Section to be completed by Reciprocal Applicant: All answers must be either printed in ink or typed.

I am applying for a license as a:

☐ Principal Broker

☐ Broker Associate

☐ Sales Associate

Name _____

Birthdate ____/____/____ Gender ____ SS# _____

Address _____

City _____ State _____ Zip _____

Telephone Number () _____ () _____

Section to be completed by Principal Broker: A Sales Associate or Broker Associate *IS NOT ELIGIBLE* to obtain a license under reciprocity unless his/her Principal Broker (in the resident state) has already obtained a Kentucky principal broker's license.

Principal Broker's Name _____

Firm Name _____

Address _____

City _____ County _____ State _____ Zip Code _____

Telephone Number () _____ Fax# () _____

Is this office located in Kentucky? ☐ No ☐ Yes, answer the following question.

The office is located in the City Limits of _____ or in the
County of _____

I, certify that I am, (or will be) the licensed Kentucky Principal Broker for the individual named above. By accepting this individual's license, I recognize my responsibilities according to KRS Chapter 324.

Principal Broker's Signature

Answer the following questions completely

1. Are you or have you ever held a license in this or any other state?

☐ No ☐ Yes

List each state you are or have been licensed in: _____,

_____, _____, _____,

_____. **Attach a Certificate of Good Standing from each State Authority. (whether Active or Expired) A copy of the license is not acceptable.**

2. Have you ever had a real estate license denied, suspended, revoked, or had any other disciplinary action levied against you in this or any other state?

☐ No ☐ Yes If yes, explain in detail on a separate sheet.

3. Have you ever been convicted of a felony or a misdemeanor within the last five years or, is there any felony or misdemeanor charge currently pending against you?

☐ No ☐ Yes If yes, explain in detail on a separate sheet.

4. Has any one ever obtained a judgment against you in any court involving real estate?

☐ No ☐ Yes If yes, explain in detail on a separate sheet.

The Commission is expressly authorized to make any investigation it deems necessary in the processing and consideration of my application.

I, the undersigned, in making this application to the Kentucky Real Estate Commission for a license to carry on the business of a Real Estate Sales Associate or Broker, under the provisions of **KRS Chapter 324**, and the Regulations of the Kentucky Real Estate Commission, swear that I have read and am thoroughly familiar with said laws and regulations, and agree to fully comply with them. I further swear that all the information given in this application is true to the best of my knowledge and belief.

Applicant's Signature

Date

Subscribed and sworn to before me this _____ day of _____, _____.

My Commission expires _____.

Notary Public

State of

***All non-residents of Kentucky must complete the Consent to Service of Jurisdiction.**

***Principal Broker applicants must have an escrow account verification form completed and attached to their applications.**

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ESCROW ACCOUNT VERIFICATION

Must be completed by a bank official for those applying for a reciprocal principal broker's license

Account must be maintained in a Kentucky Bank/Financial Institution

Principal Broker _____

Firm Name _____

I, certify that the individual named above, who is applying for issuance of Kentucky Real Estate Principal Broker's License, has opened an escrow account with this bank.

The account number is _____.

Bank: _____

Address: _____ City, State & Zip: _____

Bank Official's Signature

Title

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CONSENT TO SERVICE OF JURISDICTION

***To Be Completed By Non-Resident Applicants
Please Print in Ink or Type***

Know All Men By These Presents:

The undersigned individual, _____, being an applicant for a license as a non-resident real estate broker or Sales Associate of the Commonwealth of Kentucky, does hereby irrevocably consent, stipulate, and agree that suits and actions may be commenced against such applicant in the proper court of any county of this Commonwealth in which a cause of action may arise in which the plaintiff may reside, by the service of any process or pleadings shall be taken and help in all courts to be as valid and binding as if the service had been made upon said applicant in the Commonwealth of Kentucky.

Applicant's Signature

Date

Subscribed and sworn to before me this _____ day of _____,

My Commission expires _____.

Notary Public

County of _____ State of _____

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RECIPROCAL STATES

Please refer to the attached sheet for basic instructions and requirements for a reciprocal license in Kentucky. Contact the Commission either by phone or fax to request an application and a copy of the Kentucky License Law Manual, or if you have specific questions.

For Kentucky licensees applying for a license in reciprocal state, you may be required to submit a "Letter of Certification" from the State of Kentucky. To obtain this document submit your written request and a check/money order payable to KREC for \$10 or use our Certification Request Form #302 on our Fax On Demand.

Kentucky has reciprocal agreements/or mutual recognition with the following states, contact them directly for information about licensing or for an application.

Alabama Real Estate Commission
1201 Carmichael Way
Montgomery, AL 36106

(334) 242-5544
fax #270-9118

Arkansas Real Estate Commission
622 South Summit Street
Little Rock, AR 72201

(501) 683-8010
fax # 683-8020

Florida Division of Real Estate
400 West Robinson Street, N309
Orlando, Florida 32802

(407) 481-5632
fax #317-7260

*****Applicants must take state law portion of exam*****

Georgia Real Estate Commission
229 Peachtree Street, N.E., Ste. 1000
Atlanta, Georgia 30303-1605

(404) 656-3916
fax# 656-6650

Illinois Real Estate Commission
500 East Monroe Street, Suite 200
Springfield, IL 62701

(217) 785-9300
fax# 782-3390

*****Applicants must take state law portion of exam*****

Indiana Professional Licensing Agency
402 W. Washington Street, WO72
Indianapolis, Indiana 46204

(317) 234-3009
fax# 232-2312

****Applicants must take state law portion of exam*****

Iowa Professional Licensing & Reg. Div.
1920 S.E. Hulsizer Road
Ankeny, Iowa 50021

(515) 281-7393
fax# 281-7411

Mississippi Real Estate Commission

(601) 932-9191

**PO Box 12685
Jackson, Mississippi 39236**

fax# 932-2990

**Nebraska Real Estate Commission
PO Box 94667
Lincoln, Nebraska 68509**

**(402) 471-2004
fax# 471-4492**

**North Carolina Real Estate Commission
PO Box 17100
Raleigh, North Carolina 27619**

**(919) 875-3700
fax# 872-0038**

**Ohio Division of Real Estate
77 S. High Street, 20th Floor
Columbus, Ohio 43215**

**(614) 466-4100
fax# 644-0584**

*****Law Course and State Law Portion of Exam required *****

**South Carolina Real Estate Commission
PO Box 11847
Columbia, South Carolina 29211**

**(803) 896-4400
fax# 896-4404**

**South Dakota Real Estate Commission
221 W Capitol Ave Ste 101
Pierre, South Dakota 57501**

**(605) 773-3600
fax# 773-4356**

**Tennessee Real Estate Commission
500 James Robertson Parkway, Suite 180
Nashville, Tennessee 37243**

**(615) 741-2273
fax# 741-0313**

**West Virginia Real Estate Commission
300 Capitol Street Suite 400
Charleston, West Virginia 25301**

**(304) 558-3555
fax# 558-6442**

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Errors & Omissions Insurance Group Policy Premium Pro-ration Chart For Out of State Licensees 2008 - 2009

Policy Year—April 1, 2008 through March 31, 2009

Persons licensed during the policy year must pay the following prorated premium based on the month the license is issued or provide proof of coverage through a private carrier (certification form is also attached). This fee is in addition to the other required licensing fees. All checks should be made payable to the Kentucky Real Estate Commission—(KREC).

The KREC group policy is handled through Williams Underwriting Group, PO 769, Jeffersonville IN 47131-0769, 1-800-322-4035.

Month	E & O Premium/Processing Fee
April, May and June, 2008	\$141.95
July, August and September, 2008	\$108.96
October, November and December, 2008	\$75.97
January, February and March, 2009	\$42.99

****Applicants applying in March need to contact the Commission for the full year E & O proration to add to the March amount, as March is the renewal month for Kentucky licensees.**

Obtaining the FBI Criminal Background Report

KRS 324.045 (4) and 201 KAR 11:430

This notice (also available on the KREC website -- krec.ky.gov) should be provided to all new real estate students and candidates for reciprocal licenses. Please read this notice carefully. Applicants applying for a reciprocal license should also refer to the KREC website, (krec.ky.gov) "Reciprocal Information and Application" section for requirements.

All persons applying for a Kentucky Real Estate License shall submit proof of a FBI Criminal Background Check to the Commission as a part of the application for a real estate license. **Please note that this process could take 16 weeks. The report is only valid for six months from the date stamped on the report.** This record must indicate that there have been no felony convictions during the applicant's lifetime, or any misdemeanor convictions within the previous five-year period. Some examples of misdemeanors which may be subject to a Commission investigation include: DUI, sexual assault, certain theft charges, and certain drug convictions. In general, speeding and minor traffic violations would not be misdemeanors. Some serious traffic violations could be misdemeanors. The Commission may investigate any charges that are revealed by the FBI report or any other evidence of dishonesty, untruthfulness or bad reputation of the candidate.

If a license candidate is on parole, probation or any other state supervised reporting requirements ordered by the court, the candidate may be denied a license by the Commission until such time as the parole, probation or supervision has ended. Upon completion of the probation, the candidate may reapply to the Commission for consideration. If you are currently on probation or parole, you may want to delay taking classes and the examination until after the probationary period has ended.

Where can I obtain the necessary FBI forms? To obtain the fingerprint cards, check with your local law enforcement agency, the Kentucky State Police (check www.kentuckystatepolice.org/post.htm for the nearest location), or call the West Virginia office of the FBI at 304-625-3878. If you contact the FBI, ask for the fingerprint card and for information to obtain an identification record check **for personal review**.

Who will take my fingerprints? Most local law enforcement agencies, county sheriff's departments, and some city and county police departments, or any state police post may be able to take your fingerprints. In Louisville, the Department of Corrections located at the county jail on Sixth Street handles fingerprinting services for the Jefferson County Sheriff's Department. Some law enforcement agencies may charge a fee for fingerprinting services.

What is the cost and where do I send it? Send the completed fingerprint card, a short letter (sample attached or available on the website) advising the FBI that the report is **desired for personal review**, and an \$18 certified check or money order, payable to the Treasury of the United States. If all items are not included, the request will be returned to you by the FBI for correction. We suggest that you send the request by some form of **next day or second day air service and include on the envelope and the cover letter, a deadline by which you would like to receive the report**. Also, include a stamped self-addressed business envelope.

Forward to the address listed below:

Federal Bureau of Investigation
Criminal Justice Information Services Division
SCU MOD D2
1000 Custer Hollow Rd.
Clarksburg, WV 26306
304-625-2000 to check the status of your report

The fingerprint process outlined in this document is the only acceptable method for obtaining the FBI report.

May I take the test after I have completed my coursework and submitted my request for the criminal records check? YES, as long as you have forwarded the fingerprint card and request to the FBI for processing.

What should I do if my report is clear? The report will be mailed directly to you. The original report(s) and fingerprint card **must be attached** to your application and submitted with the other documents that are required to obtain your license. Photocopies of the card and the written FBI report are not acceptable.

Optional Affidavit Process: If the FBI report is not back by the time you are ready to apply for your license, you may use the optional affidavit process (if there have been will be no felonies during your lifetime, any misdemeanors within the last five years, or any pending charges) shown on your report. Please read the information sheet and the affidavit carefully before using this option. The principal broker must sign page 2 of the affidavit—**(only for sales associates who wish to have an active license)**. This document must be attached to the optional affidavit. If you use this option, you **MUST IMMEDIATELY** forward the FBI report to the Commission as soon as you receive it from the FBI.

What happens if I have a misdemeanor within the last five years or a felony during my lifetime? You **MAY NOT** use the optional affidavit process. **Immediately** forward the FBI report and card to the Commission. You will be asked to complete a Privacy Act Waiver and an investigation will be initiated. Following the investigation, the applicant will either be allowed to continue with the education and testing process or directed to appear before the Commission for a hearing. **If the FBI report does not show the final disposition of the charges (what you were convicted of, whether it was a felony or misdemeanor, and the penalty), you may want to obtain this information from the court before sending in your application. If we do not have the final disposition, we will have to obtain it before your application can be processed for investigation.**

How long does the investigation take? Approximately 60-90 days depending upon how quickly all of the documents are returned to the Commission and the backlog of cases.

What if my report comes back indicating that the prints are unreadable? If the prints are unreadable, the applicant should contact the Commission to obtain an affidavit, which must be signed before a notary. The completed affidavit, original fingerprint card, and FBI report which indicated the prints were unreadable must be attached to the individual's application and other documents when they are submitted to obtain the license.

IMPORTANT NOTES: Regulation 201 KAR 11:210 (6) requires that all exam candidates apply for their license within 60 days of the examination date. **If you delay requesting the background report and take the exam without having first applied to the FBI for the criminal check, your test scores can be invalidated, thus requiring a retest.**

Copies of a report that have been done for another entity or organization are not acceptable. The fingerprint card and report become a part of the licensee's permanent file and cannot be returned to you.

Persons with any felony convictions or certain misdemeanors (within the last five years) **SHOULD NOT** enroll in classes and/or pay course fees or tuition or take the examination until the Commission has determined your eligibility for a license. If you continue with classes and take the test, you do so at your own risk.

If you have further questions, contact the Commission office.

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Federal Bureau of Investigation
Criminal Justice Information Services Division
1000 Custer Hollow Road
Clarksburg, WV 26306

RE: CRIMINAL BACKGROUND CHECK

I am requesting this background check and report **for a personal review**. Enclosed is the required, completed fingerprint card, along with the \$18 processing fee. (Certified check or money order, payable to: Treasury of the United States).

Please **expedite** this request and return the report to me by _____.
Thank you.

Printed or Typed: _____
Full Legal Name

Street Address

City, State, Zip Code

Signature

Date

CRIMINAL BACKGROUND REPORT OPTIONAL AFFIDAVIT PROCESS FOR LICENSURE

All candidates must request the FBI report BEFORE sitting for the examination or applying for a license through reciprocity, using the process outlined on the attached information sheet, "Obtaining the FBI Criminal Background Report".

The Commission has now approved the use of an **OPTIONAL signed affidavit process**. The trial period will run through June of 2009, pending possible changes to the statutes. This affidavit, if signed, will certify that the candidate has not had any felonies during his or her lifetime, any misdemeanors within the past five years and that there are no pending charges. This process will allow a candidate to apply for his/her license (without the background report), provided the candidate agrees to mail the background report to the KREC within five days of its receipt from the FBI. **The affidavit may not be used by a new candidate who will be placing the license into escrow. The Principal Broker authorization is only required for new sales associates who will have an active license.**

If an applicant chooses to use this optional affidavit, he/she must also submit an AOC (state) report. This report takes approximately 7-10 business days to obtain and is **only valid for licensing purposes for 60 days from the date issued**. To obtain that report, send the attached form and a \$10 check to:

Administrative Office of the Courts (AOC)
Pretrial Services, Records
100 Millcreek Park
Frankfort, KY 40601

If you do not live in Kentucky, you need to obtain a similar report from your state of residence. This might be available through your state police or through an agency similar to the AOC office in Kentucky. The state report and the completed affidavit may then be submitted to the Commission along with the license application and other required documents and fees.

If this optional affidavit process is used, you must obtain the signature of the principal broker, on page two of the optional affidavit. This document must be attached to your affidavit.

IMPORTANT NOTE: Individuals who have a felony during their lifetime, a misdemeanor within the last five years, or pending charges on their FBI reports MAY NOT use the affidavit process. They must wait for the FBI report before proceeding with their application. Upon receipt of the report, the individual should immediately send the report to the Commission's Legal Department so that the investigation process can be initiated.

Falsification of the affidavit will result in the **immediate suspension** of the individual's license. The Commission will investigate the case. The broker will be asked to return the license and the candidate must cease all real estate activities.

Failure to submit the FBI report to the Commission within 120 days of the issuance of the license will result in **immediate disciplinary action** against the licensee. If the report has not been received by the candidate within the 120 day period, the individual must notify the Commission in writing.

If a candidate is licensed by submitting the affidavit, but it is later discovered that the FBI report was not requested before the candidate took the examination, the candidate may also face disciplinary action.

**KENTUCKY REAL ESTATE COMMISSION
OPTIONAL AFFIDAVIT FOR LICENSURE**

READ THIS AFFIDAVIT VERY CAREFULLY BEFORE SIGNING. ANY CASES OF FALSE SWEARING ARE CRIMINAL AND WILL BE PROSECUTED TO THE FULLEST EXTENT OF THE LAW.

Comes the Affiant, _____, and after having been duly sworn, hereby states under oath as follows:

I hereby swear or affirm that I have not been convicted of a felony crime during my lifetime. I further swear or affirm that I have not been convicted of any misdemeanor crime, including, but not limited to, DUI, theft and/or sexual misconduct, during the previous five years and that there are no other pending charges against me at this time. **

I understand that this statement is made under oath. **I understand that if the information in this affidavit concerning my criminal record is later shown to be false, my license shall be immediately suspended.**

I hereby swear or affirm that I will submit my FBI criminal background report within five days of receipt of it. **I understand that failure to submit my report within this five-day period shall result in disciplinary action being taken against my license.** I mailed my request for the report to the FBI on _____. If I have not received the criminal background report within 120 days of the issuance of the license, I will immediately notify the Commission in writing. **I understand that failure to send the report to the Commission within 120 days shall result in disciplinary action against my license.**

Further, Affiant sayeth naught.

Applicant Signature

Applicant Address

STATE OF _____)

COUNTY OF _____)

Subscribed to and acknowledged before me this _____ day of _____, 2008.

Notary Public, State at Large

My Commission expires: _____

** Any cases that have been officially expunged do not have to be disclosed.

PLEASE NOTE: If you are unable to sign this affidavit due to a felony conviction during your lifetime, a misdemeanor conviction within the past five years or a pending charge, you shall not use the optional affidavit. You must wait for the FBI background report before proceeding with the application for licensure.

Principal Broker Authorization

**Required only for new sales associate candidates who will have an active license.
Reciprocal and Kentucky broker candidates are not required to complete this section.**

I, _____, Principal Broker agree to sponsor the following applicant,
_____ for a real estate license prior to receipt of the FBI criminal background report, based upon completion of the attached optional affidavit for licensure and submission of a report issued by the Kentucky Administrative Office of the Courts or a similar state agency in another jurisdiction if the applicant lives outside Kentucky.

A mentor/licensee will be assigned to work with this individual until the clear FBI report has been forwarded to the Kentucky Real Estate Commission. I agree that this new licensee will not be allowed to show property or meet with clients unless accompanied by the mentor or another licensee assigned by the principal broker to perform that task.

If charges or convictions are reported by the FBI, I agree, as the principal broker, to take whatever action is directed of me by the Kentucky Real Estate Commission.

Broker Signature

Date

Kentucky Real Estate Commission

AOC REQUEST FORM

The process to obtain Kentucky criminal background checks through the CourtNet Disposition System are as follows:

Requesting a criminal background check for the purpose of obtaining a license with the Kentucky Real Estate Commission (using the optional affidavit process) requires a **\$10.00 fee** (Check or money order made payable to the **KENTUCKY STATE TREASURER**). Completely fill out this form and enclose a postage paid, self addressed envelope. The report will be returned to you. If you have any questions, please contact Pretrial Services Records Division at (502) 573-1682 or (800) 928-6381.

Mail request to this address: **ADMINISTRATIVE OFFICE OF THE COURTS
PRETRIAL SERVICES RECORDS DIVISION
100 MILLCREEK PARK
FRANKFORT KY 40601**

PLEASE ***PRINT OR TYPE*** THE INFORMATION CLEARLY

<u>Last Name</u>	<i>First Name</i>	<i>Middle Name</i>	<i>(Jr., Sr., etc.)</i>
<i>Social Security Number</i> - -	<i>Date of Birth</i> Mo. Day Year	<i>Alias/Maiden Name</i>	
<u>Address</u>	<i>City</i>	<i>State</i>	<i>Zip</i>

I understand that failure to accurately provide the information requested may result in my prosecution under K.R.S. 523.100

Signature of Licensee

Date

Kentucky Real Estate Commission
10200 Linn Station Rd., Suite 201
Louisville, KY 40223
502-429-7250 or 888-373-3300

For Office Use Only

If you fail to comply with all procedures outlined above, your request for this report will not be processed and the documents will be returned to you.

Private Carrier Certification of Coverage

Under KRS 324.395 and 201 KAR 11:220

KENTUCKY REAL ESTATE COMMISSION

10200 Linn Station Road, Suite 201, Louisville, Kentucky 40223
Phone (502) 429-7250 and 1-888-373-3300, Fax: (502) 429-7246
Website: www.krec.ky.gov

Please type or print legibly in ink:

I hereby certify that the insurance company listed below has at least a "B+" or better rating from the A.M. Best Insurance Rating Service. I also certify that the policy meets the minimum requirements set forth in 201 KAR 11:220. I further certify that the policy issued to:

Licensee Name: _____ (If coverage is being certified for more than one licensee, a list of additional licensees to be covered must be attached to certify that each licensee meets the minimum requirements as set forth below)

Please check whether this is for firm coverage _____ or individual coverage _____
(Individual coverage must follow the licensee from firm to firm)

If this is for firm coverage, please fill out the name and address of the real estate company:

Real Estate Company Name: _____

Address: _____ City _____

State _____ Zip Code _____

Fill out below for firm or individual coverage:

Insurance Company: _____

Policy Number: _____ Policy Date(s): _____

Limit of Liability: _____ no less than \$100,000 per claim

Deductible: _____ may not exceed \$2,500 for judgment or settlement per claim
and \$1,000 for the cost of investigation and defense per claim Annual

Aggregate: _____ none, or no less than \$1,000,000 per licensee on an individual policy

However, a principal broker who purchases independent "Firm Coverage" shall certify the following aggregate amounts:

(a) 1-40 licensees -- \$1,000,000 annual aggregate

(b) 41+ licensees -- \$2,000,000 annual aggregate

The licensee listed above is insured against claims resulting from real estate agent errors and omissions and the above-referenced policy includes, at a minimum, the standards set forth in 201 KAR 11:220 and the Kentucky Real Estate Commission bid specifications for errors and omissions insurance.

It is further understood and agreed that the coverage for the person(s) insured by this policy may not be terminated, cancelled, lapsed or non-renewed, regardless of cause or reasons, without the Company having provided the Kentucky Real Estate Commission, 10200 Linn Station Road, Suite 201, Louisville, Kentucky 40223 with prior written notice.

Authorized Insurance Representative

Print Name Signature Title

Date Phone Number

Address: _____ City _____

State _____ Zip Code _____